



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

AF/2815
LW

**NOTICE OF APPEAL AND
TRANSMITTAL OF AMENDMENT**

Docket Number
2345/154

Application Number
09/830,757

Filing Date
October 6, 2004

Examiner
Matthew Warren

Art Unit
2815

Title
**DEVICE AND METHOD FOR THE TEMPERATURE-
INDEPENDENT OPERATION OF ELECTRO-
OPTICAL SWITCHES ON THE BASIS OF
FERROELECTRIC LIQUID CRYSTALS HAVING A
DEFORMED HELIX**

Applicant(s)
Wolfgang DULTZ et al.

Address to:

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: January 6, 2005

Signature: [Signature]
Linda M. Shudy (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action of October 6, 2004 finally rejecting claims 13, 14, 18 to 21, 25 and 26. Applicants believe that those claims should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

An Amendment in response to the Final Office Action is being filed herewith.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee which is believed to be **\$500.00** to the deposit account number **11-0600** of **Kenyon & Kenyon**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon**. Two duplicate copies of this paper are enclosed for those purposes.

Dated: January 6, 2005

By:

[Signature]
Richard L. Mayer (Reg. No. 22,490)

CUSTOMER NO. 26646

KENYON & KENYON
One Broadway
New York, New York 10004
Tel. (212) 425-7200
Fax (212) 425-5288

Reg. No. 47,084

01/11/2005 AWONDAF1 00000004 110600 09830757

01 FC:1401 500.00 DA